

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

Kimberly Freeman,

Plaintiff,

v.

Case No. 1:17cv867

Rite Aid, *et al.*,

Judge Michael R. Barrett

Defendants.

**ORDER**

This matter is before the Court on the Report and Recommendation (“R&R”) filed by the Magistrate Judge on October 10, 2018 (Doc. 14).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). No objections to the Magistrate Judge’s R&R have been filed.

Accordingly, it is **ORDERED** that the R&R (Doc. 14) of the Magistrate Judge is hereby **ADOPTED**. Consistent with the recommendation by the Magistrate Judge, the previous R&R (Doc. 3) is **WITHDRAWN** and all pending motions (Docs. 4-12) are **DENIED as MOOT**; and this matter is **DISMISSED with PREJUDICE** for failure to state a claim for relief.

Any request for certificate of appealability or request to certify an appeal would not be taken in good faith and would be denied.

**IT IS SO ORDERED.**

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*s/Michael R. Barrett*  
Michael R. Barrett  
United States District Judge